



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: Vogel et al.

CASE NO: AD6728 US NA

APPLICATION NO.: 09/833,452

GROUP ART UNIT: 1773

FILED: 04/12/2001

EXAMINER: Jackson, Monique R

FOR: Multi-Layered, Co-Extruded Ionomeric Decorative Surfacing

RULE 131 DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

I, Lori J. Pike, declare that:

I am a citizen of the United States of America residing in Newark, Delaware;

I am a co-inventor of the above-identified application for US patent and have read the Office Action mailed 01/10/2007;

I have been employed by E. I. du Pont de Nemours & Company (DuPont) since June -- 1981 as an engineer working in various areas of plant support, process engineering, and technical service and development of ethylene copolymers including polymers for film and sheet since 1985;

I made several runs of coextruded two layer films comprising ionomer Surlyn[®] film as top layer and another ionomer Surlyn[®] film as second layer well before December 15, 1998;

I had reduced my invention, before December 15, 1998, as described and claimed in the subject application in this country, evidenced by the following exhibits:

Exhibit A, attached hereto, is a photocopy of work request 710802 by me (L. Pike) and operated by Bruce Dennison and Earl Herriman as operators; two runs are shown on this Exhibit A (Sample number E203-56-51 and E203-56-2); the equipment employed was a co-extruder located at DuPont's Chestnut Run facility in Wilmington, Delaware; the resins shown on the farthest left column of the request represents were Surlyn[®] 1706 (zinc ionomer) and Surlyn[®] 7930 (lithium ionomer), both were manufactured and sold by DuPont at that time; Exhibit A also shows that an additive CONPOL 5B10S1 was present in one of the

ionomer layers; CONPOL was used as antiblock and slip agent additive with different concentrations (0.05 wt % and 0.01 wt %) in the two runs;

Several other two layer films were also made similarly; for example, Exhibit B (work request 150405) shows four (4) two-layer runs (sample numbers E229-41-1, E229-41-2, E229-41-3, E229-41-4); each of runs E229-41-1 and E229-41-2 comprised Surlyn[®] 1601 film as top layer and another Surlyn[®] NWL film as second layer; each of run E229-41-3 and E229-41-4 comprised Surlyn[®] HT 2010 film as top layer and another Surlyn[®] NWL film as second layer; Surlyn[®] 1601 and Surlyn[®] NWL were each a sodium ionomer; Surlyn[®] HT 2010 was a high transparency sodium ionomer grade.

Not shown are more ionomer/ionomer two-layer runs carried out by me, but the above-illustrated two exhibits unequivocally demonstrate that I conceived and reduced to practice the invention claimed in the above-identified application before the filing date of the parent application of the Smith reference relied on by the examiner; and

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Lori J. Pike 2/22/07
Lori J. Pike Date

A circular black ink stamp from the Irish Patent & Trademark Office. The text "OIRE LAPB" is curved along the top inner edge, and "PATENT & TRADEMARK OFFICE" is curved along the bottom inner edge. In the center, the date "FEB 27 2007" is stamped horizontally.

BEST AVAILABLE COPY

EXTRUSION DATA RECORD --- BLOWN FILM

[illegible]

A circular black and white stamp. The text "OIPE" is at the top, "BUREAU" is at the bottom, and "FEB 27 2007" is in the center. The words "OFFICE OF INTELLECTUAL PROPERTY" are written around the inner edge of the circle.

BEST AVAILABLE COPY

EXTRUSION DATA RECORD ... BLOWN FILM

[illegible]